

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MARK BREAKIRON,	:	
	:	
	:	
Petitioner,	:	CIVIL ACTION
	:	
v.	:	No. 00 - 300:
	:	
MARTIN HORN, Commissioner, Pennsylvania Department of Corrections;	:	Judge Hardiman
CONNOR BLAINE, Superintendent of the State Correctional Institution at Greene, and	:	THIS IS A CAPITAL CASE.
JOSEPH P. MAZURKIEWICZ, Superintendent of the State Correctional Institution at Rockview,	:	
	:	
Respondents.	:	

**NOTICE TO VACATE WRIT OF HABEAS CORPUS
AD TESTIFICANDUM FOR CLINTON CONRAD BLAIR**

AND NOW comes the Petitioner, Mark Breakiron, by his attorney, Tricia Russell, and files this Notice seeking to vacate the Writ of Habeas Corpus Ad Testificandum previously issued by this Court commanding the United States Marshal to produce the body of **Clinton Conrad Blair** (DOC # CJ 6559) to testify at the evidentiary hearing in the above-titled case scheduled for December 4 & 5, 2006.

DATED: November 22, 2006

Respectfully submitted,

/s/ Tricia A. Russell
TRICIA A. RUSSELL
Research and Writing Attorney
LISA B. FREELAND

Federal Public Defender
Capital Habeas Corpus Unit
1450 Liberty Center
1001 Liberty Avenue
Pittsburgh, PA 15222-3714
(412) 644-6565

STUART B. LEV
Assistant Federal Defender
MAUREEN KEARNEY ROWLEY
Chief Federal Defender
Federal Community Defender Office
for the Eastern District of Pennsylvania
Capital Habeas Corpus Unit
The Curtis Center, Suite 545 W
Independence Square West
Philadelphia, PA 19106
(215) 928-0520